SAS

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.773 DF 2007

Air India Ltd. ..Petitioner.

V/s.

Commissioner of Customs ..Respondent.

Mr.A.A.Siddique i/b. M.V. Kini & Co. for petitioner.

Mr.Y.R.Mishra with H.P.Chaturvedi for respondent.

CORAM : F.I.REBELLO AND
J.P.DEVADHAR, JJ.

DATED : 1ST NOVEMBER, 2007.

P.C. :-

CEGAT has dismissed the reference by an order dated 17/12/2002. An application for restoration was moved and the same was dismissed on 11/2/2003. Thereafter, some further proceedings were initiated before the CEGAT by way of fresh reference. That was dismissed on 17/12/2004. It is the case of the petitioner that thereafter they invoked the Revenue Secretary by an application dated 31/1/2005. That was rejected on 13/3/2006. The present petition has been filed on 11/11/2007. There is no explanation whatsoever for the laches in preferring this petition. In our opinion, considering that the petitioner is not a person who is not aware of the law this would not be a fit case for us to exercise our extra ordinary jurisdiction. Hence petition is dismissed.

(J.P.DEVADHAR, J.) **(F.I.REBELLO, J.)**